

HALSTEAD & ASSOCIATES
Environmental / Biological Consultants

296 Burgan Avenue, Clovis, CA 93611
Office (559) 298-2334; Mobile (559) 970-2875
Fax (559) 322-0769; HalsteadEnv@aol.com

July 29, 2008

Ms. Susan Jones
Chief, San Joaquin Valley Branch
U. S. Fish and Wildlife Service
Sacramento Fish and Wildlife Office, Endangered Species Division
2800 Cottage Way, Rm W-2605
Sacramento, CA 95814

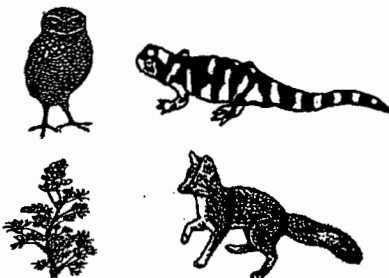
DOCKET 07-AFC-7
DATE JUL 29 2008
RECD. OCT 02 2008

RE: Kings River Conservation District's Community Power Plant Project
(Parlier, Fresno and Tulare Counties, CA)
Copy of Survey Reports for USFWS Files: Raptor and Kit Fox Reports

Dear Sue:

Enclosed are two reports for the Service's files concerning raptors and kit fox for the above KRCD project. A biological assessment report (BA) for the project was completed and submitted to the USFWS in November 2007. With the BA was a request of finding of "not likely to adversely effect" as part of an informal consultation process. Mr. Jeff Jorgenson of your staff along with CEC, CDFG, and H&A staff toured the project site and linear facilities in February 2008. The BA proposed preventive avoidance measures for biological resources and sensitive areas (Kings River, intermittent drainages of Cross Creek with sensitive resources and critical habitat, and the Manning Recharge Basin) and to conduct protocol surveys for kit fox, burrowing owl, Swainson's hawk, and nesting raptors among three potential areas. The kit fox and raptor surveys have been conducted and their reports are enclosed for the Service's files.

In summary, no sensitive species were found during the surveys. For raptors and their nests, we conducted protocol Burrowing Owl, Swainson's Hawk, and nesting raptor surveys in winter 2007 thru spring 2008. No Burrowing Owl or Swainson's Hawk nests were found on or adjacent to the project site. One Swainson's Hawk was observed, but it did not nest in our project area. Several nests were found and monitored during the surveys. A few nests were occupied and nesting occurred by raptors such as Great-horned Owl and Red-tailed Hawk. Preventive avoidance measures were incorporated into the Biological Assessment report (November 2007) and are presented again in the enclosed report to avoid impacts. No



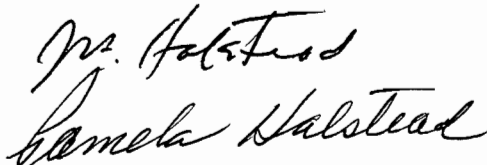
project impacts are expected to raptors, their nests, or their habitat due to the project, and thus no mitigation measures are recommended.

For the San Joaquin Kit Fox, protocol surveys were conducted in summer 2008 at the Manning Recharge Basin. Den and track searches were also conducted at the 60-acre staging area and along Road 60 in the Cross Creek area. No kit fox or their evidence were found on the project site. Preventive avoidance measures were incorporated into the Biological Assessment report (November 2007) and are presented again in the enclosed report to avoid impacts. No project impacts are expected to kit fox or their habitat due to the project, and thus no mitigation measures are recommended.

In the near future, an addendum to the BA will be prepared to include additional preventive avoidance measures recommended by the USFWS during the February 2008 site tour for the Cross Creek area and for elderberry bush habitat where the natural gas pipeline will be bored under the Kings River using horizontal directional drilling. The KRCD has decided to use horizontal directional drilling to bore completely under the sensitive Cross Creek area to avoid potential impacts to vernal pools and sensitive species. The BA addendum will be sent to the USFWS for your review along with another request of finding of "not likely to adversely effect" as part of an informal consultation process.

Lastly, the project has added a new 60-acre staging area and made slight changes to the transmission line route. These areas were not included in the BA (November 2007). The BA will also be revised to reflect these additional areas.

Sincerely,



Pamela S. and Jeffrey A. Halstead
Owners / Partners / Biologists

cc: Mr. Jim Richards and Mr. Taylor Matteson (KRCD)
Mr. Justin Sloan (CDFG, Fresno)
Mr. Brian McCullough (CEC, Sacramento)
Ms. Amy Cuellar (Navigant Consulting Inc.)